

§ 101.1501

47 CFR Ch. I (10–1–04 Edition)

during a one year period after commencement of operation of the transmitting facility. Specifically, the MVDDS licensee must correct interference caused to a DBS customer of record or cease operation if it is demonstrated that the DBS customer is receiving harmful interference from the MVDDS system or that the MVDDS signal exceeds the permitted EPFD level at the DBS customer location.

Subpart Q—Service and Technical Rules for the 70/80/90 GHz Bands

SOURCE: 69 FR 3267, Jan. 23, 2004, unless otherwise noted.

§ 101.1501 Service areas.

The 70/80/90 GHz bands are licensed on the basis of non-exclusive nationwide licenses. There is no limit to the number of non-exclusive nationwide licenses that may be granted for these bands, and these licenses will serve as a prerequisite for registering individual links.

§ 101.1505 Segmentation plan.

(a) The 71–76 GHz and 81–86 GHz bands are divided into four unpaired 1.25 GHz segments each (8 total), without assignment of specific channels within the segment. An entity may request any portion of this spectrum, up to 10 GHz (1.25, 2.5, 3.75, 5, 6.25, 7.75 or 10 GHz). The segments may be aggregated without limit. Pairing is permitted, but only in a standardized manner (*e.g.*, 71–72.25 GHz may be paired only with 81–82.25 GHz, and so on). Licensees are also permitted to register segments less than 1.25 GHz.

(b) The 92–95 GHz band is divided into three segments: 92.0–94.0 GHz and 94.1–95.0 GHz for non-government and government users, and 94.0–94.1 GHz for Federal Government use. Pairing is allowed and segments may be aggregated without limit. The bands in paragraph (a) of this section can be included for a possible 12.9 GHz maximum aggregation. Licensees are also permitted to register smaller segments than provided here.

§ 101.1507 Permissible operations.

Licensees may use the 70 GHz, 80 GHz and 90 GHz bands for any point-to-point, non-broadcast service. The segments may be unpaired or paired, but pairing will be permitted only in a standardized manner (*e.g.*, 71–72.25 GHz may be paired only with 81–82.25 GHz, and so on). The segments may be aggregated without limit.

§ 101.1511 Regulatory status and eligibility.

(a) Licensees are permitted to provide services on a non-common carrier and/or on a common carrier basis.

(b) Licensees are subject to the requirements set forth in § 101.7.

(c) Any entity, other than one precluded by § 101.7, is eligible for authorization to provide service under this part. Authorization will be granted upon proper application filing and link coordination in accordance with the Commission's rules.

§ 101.1513 License term and renewal expectancy.

Because the licensee will obtain a single license for all of its facilities, the license renewal period will be ten years from the registration of the first link. Adding links will not change the overall renewal period of the license.

§ 101.1523 Sharing and coordination among non-government licensees and between non-government and government services.

(a) Registration of each link in the 71–76 GHz, 81–86 GHz, and 92–95 GHz bands will be in the Universal Licensing System until the Wireless Telecommunications Bureau announces by public notice the implementation of a third-party database.

(b) Sharing and coordination among non-Federal Government links and between non-Federal Government and Federal Government links, shall occur according to the registration and coordination standards and procedures adopted in Report & Order, FCC 03–248, and as further detailed in subsequent implementation public notices issued consistent with that order. Protection